

## **REMARKS**

### **Summary of Office Action**

Applicants' claims 1-18 are currently pending in the above-identified patent application.

The Examiner rejected independent claims 1, 5, 8, 11 and 15-17 and dependent claims 2, 4, 7, and 12 under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,907,276 B2 (hereinafter "Toba").

Further, the Examiner rejected independent claims 9, 13 and 18 and dependent claims 10 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Toba in view of United States Patent Application No. US2002-0119768 A1 (hereinafter "Matsumoto").

Further, the Examiner rejected dependent claims 3 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Toba in view of United States Patent No. 6,658,272 (hereinafter "Lenchick").

### **Applicants' Reply to the Rejection of the Claims**

#### **35 U.S.C. § 102(e)**

The Examiner rejected independent claims 1, 5, 8, and 11 and dependent claims 2, 4, 7, and 12 under 35 U.S.C. § 102(e) as being anticipated by Toba. Applicants submit the following remarks wherein the Examiner's rejections are respectfully traversed.

In rejecting independent claim 11 the Examiner asserted that all of the elements of claim 11 are shown in Toba. *Office Action, Page 3*. However, Applicants respectfully submit that Toba fails to show or suggest a mobile portable communication terminal that switches a non-input screen of the display unit having an item selected to an input screen corresponding to that selected item in response to the terminal switching to an open state from the closed state. Instead, Toba teaches a portable terminal with a control circuit 21 that carries out the display control on the main display unit 5 and the external display unit 11 depending upon whether a control circuit 6 detects that the terminal is in the open or closed state. When the control circuit 6 detects that the portable terminal is in the open state, the control circuit 21 carries out the display controls on the main display unit 5. However, when the control circuit 6 detects that the portable terminal is in the closed state, control circuit 21 carries out the display controls on the external display unit 11. Thus, control circuits 6 and 21 simply switch the display from the

external display unit 11 to the main display unit 5 when the portable communication terminal moves from the closed state to the open state and vice versa. *See col. 7, line 58 - col. 8 line 3; col. 8 lines 28-36.*

Toba does not teach the method for switching the display unit from a non-input screen when the housing is closed to an input screen in response to the housing being opened. Looking at Fig. 4A, Toba indicates that the user only inputs information when the terminal is in the closed state and the information is displayed on the external display unit 11. *See Fig. 4A, Step S11-S12.* No where does Toba suggest that when the terminal changes from the closed state to the open state, an input screen appears on the internal display unit. In fact, Examiner concedes this point when stating in connection with Claims 9, 13 and 18 that "Toba does not explicitly teach/disclose about editing the received email/electronic mail message, as claimed by applicant." *See Office Action at pgs. 7-8.* In Toba when the terminal switches from the closed state to the open state the same information that was being displayed on the external display unit 11 appears on the internal display unit 5. For example, in Toba when a call or the like is received on the mobile communication terminal in the closed state, reception of the call is displayed on the external display unit 11. If the terminal changes from the closed state to the open state, the user can only confirm the information displayed on the external display unit 11 on the internal display unit 5, there is no opportunity to input a response of any kind. *See Col. 14, lines 33-46.* For these reasons, the subject matter of claim 11 is patentably distinct from Toba and accordingly is not anticipated by Toba.

Applicants respectfully submit that dependent Claim 12 is believed to define patentable subject matter in view of its dependency upon allowable Claim 11 and, further, on its own merits.

In rejecting independent claims 1, 15 and 16 the Examiner asserted that all of the elements of these claims are shown in Toba. *Office Action, Page 3-4.* The Applicants' invention defined in independent claims 1, 15 and 16 comprises a display unit which is visible to a user in at least the closed state of the portable communication terminal, wherein, in response to the detecting unit detecting an opening of the housing, the control unit changes the screen of the display unit from a non-input screen to an input screen. However, as discussed in detail above in connection with claim 11, Toba does not teach or suggest a portable communication terminal with a control circuit that, in response to the detecting unit detecting an opening of the housings changes the screen of the display unit which is visible to the user to an input screen. Instead, the

control circuit provided in Toba's mobile communication terminal simply turns off the external display unit 11 which is visible to the user in the closed state upon the detection of an opening of the housings and turns on the main display unit 5 which is visible to the user in the terminal's open state. Furthermore, Toba does not teach an external display unit that is visible in both the terminal's open and closed states as disclosed in Claims 1, 15 and 16 of Applicant's invention. Toba also does not disclose or suggest changing the screens of the display units 5 and 11 to an input screen in response to an opening of the housings. In other words, Toba does not disclose the limitations of claims 1, 15 and 16 wherein a display unit which is visible to a user in at least the portable terminal's closed state changes from a non-input screen to an input screen, when the control unit detects an opening of the housings. For the reasons stated above, the subject matter of claims 1, 15 and 16 is patentably distinct from Toba and these claims are not anticipated by Toba.

Applicants respectfully submit that dependent Claim 2 is believed to define patentable subject matter in view of its dependency upon allowable Claim 1 and, further, on its own merits. For instance, claim 2 claims a portable communication terminal comprising a selecting unit for selecting an item displayed on the display unit in the closed state, so that when the control unit changes the non-input screen to an input screen in response to the detection of an opening of the housings, the input screen corresponds to the item selected by the selecting unit. These limitations are not disclosed or suggested by Toba as state by the Examiner. *Office Action, Page 4*. Instead, as described in detail above, Toba merely discloses switching between the external display unit 11 and the main display unit 5 upon opening/closing of the housings. For the reason stated above, the subject matter of claim 2 is patentably distinct from Toba and, accordingly, is not anticipated by Toba.

Applicants respectfully submit that dependent Claim 4 is believed to define patentable subject matter in view of its dependency upon allowable Claim 1 and, further, on its own merits.

In rejecting independent claim 17 the Examiner asserted that all of the elements of the claims are shown in Toba. *Office Action, Page 5*. Claim 17 discloses a portable communication terminal comprising a display unit which is visible to the user in the closed and open states of the portable terminal and a control unit that switches the display unit from the non-input mode to the input mode when the detecting unit detects an opening of the housings. Toba does not teach or suggest the invention disclosed in Claim 17. Instead, as explained in detail

above, Toba discloses a portable communication terminal with two display units, display unit 11, visible when the terminal is closed, and display unit 5, visible when the terminal is open, wherein a control circuit turns off and stops controlling display unit 11 and turns on and controls the display of display unit 5 when a detecting unit detects an opening of the portable terminal. In other words, the control circuit provided in Toba's mobile communication terminal controls to turn off the screen of the external display unit 11 which is visible to the user in the closed state upon the detection of an opening of the housings. Furthermore, Toba does not disclose or suggest that the display unit 11 is visible in both the terminals open and closed states nor does Toba disclose or suggest that display units 5 and 11 can switch from non-input screens to input screens in response to an opening of the terminal. Thus, Toba does not disclose the limitation of claim 17, wherein, a display unit which is visible to a user in both the closed and open states of the portable terminal, changes from a non-input mode to an input mode in response to the detecting unit detecting an opening of the housings. For the reasons state above, the subject matter of claim 17 is patentably distinct from Toba and, accordingly is not anticipated by Toba.

In rejecting independent claim 5 the Examiner asserted that all of the elements of the claim are shown in Toba. *Office Action, Page 5*. The portable terminal of claim 5 comprises a display unit which is visible to the user in both the open and closed state, wherein, the display unit changes from a non-input screen in the closed state to an input screen in the open state when the detecting unit detects the opening of the housings. Toba does not disclose or suggest this type of portable terminal as suggested by the examiner. Instead, as explained in detail above, the mobile communication terminal disclosed in Toba is limited to a terminal that turns off the external screen 11 of the terminal when the detecting circuit 6 detects that the terminal is changing from the closed state to the open state. The control circuit 21 then stops controlling the external display unit 11 and begins controlling the main display unit 5 which is visible to the user in the open state. No where does Toba disclose or suggest a single display unit visible in both the open and closed states that changes from a non-input screen in the closed state to an input screen in the open state in response to the detecting unit detecting an opening of the housings. For the reasons stated above, the subject matter of independent claim 5 is patentably distinct from Toba and, accordingly, is not anticipated by Toba.

Applicants respectfully submit that dependent Claim 7 is believed to define patentable subject matter in view of its dependency upon allowable Claim 5 and, further, on its own merits.

In rejecting independent claim 8 the Examiner asserted that all of the elements of the claim are shown in Toba. *Office Action, Page 6*. The subject matter of claim 8 comprises a display unit which is visible to the user in at least the closed state of the portable terminal, wherein, in response to the detecting unit detecting an opening of the housings, the control unit switches the display unit from the non-input mode to the input mode. However, as explained in detail above, Toba does not teach or suggest that, when the detecting unit detects an opening of the housings, the control unit switches the display unit which is visible to the user in the closed state of the portable terminal from the non-input to the input mode, as recited in claim 8. That is, the control circuit provided in Toba's mobile communication terminal turns off the screen of the external display unit 11 which is visible to the user in the closed state upon the detection of an opening of the housing. Toba does not teach or suggest a portable terminal that displays anything on the external display unit when the terminal is in the open state. Furthermore, Toba does not disclose or teach that the control unit switches the display units 5 and 11 from the non-input mode to the input mode in response to an opening of the housings. Thus, Toba does not disclose the limitations of claim 8, i.e., a display unit showing a non-input screen, visible to the user in the closed state of the portable terminal, which, changes to an input screen in response to the detecting unit detecting an opening of the housings. For these reasons, the subject matter of claim 8 is patentably distinct from Toba and , accordingly is not anticipated by Toba.

**35 U.S.C. § 103(a)**

The Examiner rejected independent claims 9, 13 and 18 and dependent claims 10 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Toba in view of Matsumoto. *Office Action, Page 7-10*. Applicants submit the following remarks wherein the Examiner's rejections are respectfully traversed.

The subject matter of independent claims 9, 13 and 18 is directed to a portable terminal with a control unit that changes a non-input screen displaying a received email or the like on a display unit when the terminal is in the closed state to an input screen for editing the received email in response to the housings being opened. Toba is silent about this inventive feature. Furthermore, Toba in combination with Matsumoto doesn't teach or suggest the inventive features of independent claims 9, 13 and 18. Matsumoto merely discloses a text editing function, such as email, which is provided for the mobile station, and the hypothetical combination of Toba and Matsumoto merely teaches displaying an edit screen for the received e-mail on the main display unit 11 in response to an operation of an input unit made by the user of

the mobile communication terminal while Toba's mobile communication terminal is in the open state. This is simply just an email function provided on conventional mobile communication terminals. Claims 9, 13 and 18 claim a non-input screen displaying the received e-mail message that automatically changes to the input screen for editing the received e-mail message in response to an opening of the housings from the closed state. This provides an advantage in that it is possible to change the non-input screen displaying the received e-mail message to the input screen for editing based on that e-mail message without any input from the user except an opening of the housings. This greatly improves usability. Neither Toba nor Matsumoto discloses or teaches such a feature.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Toba in view of Matsumoto. The Applicants respectfully disagree and submits that dependent Claim 10 is believed to define patentable subject matter in view of its dependency upon allowable Claim 9 and, further, on its own merits.

Claims 3 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toba in view of Lenchick. *Office Action, Page 10-11*. The Applicants respectfully disagree and submits that dependent Claims 3 and 6 are believed to define patentable subject matter in view of their dependency upon allowable Claims 1 and 5 and, further, on their own merits.

### Conclusion

Accordingly, Applicants respectfully submit that the claimed invention as defined by independent claim 1, claims 2, 3 and 4 which depend therefrom, and independent claim 5, claims 6 and 7 which depends therefrom, and independent claim 8, and independent claim 9, claim 10 which depends therefrom, and independent claim 11, claim 12 which depends therefrom, and independent claim 13, claim 14 which depends therefrom and independent claims 15, 16, 17 and 18 are patentable over the cited references.

For at least the reasons set forth above, Applicants respectfully submit that this patent application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

The Examiner is urged to telephone Applicants' undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely.

Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-0057.

Respectfully submitted,

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